

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>8:11CR34</b>
	)	
<b>vs.</b>	)	<b>ORDER</b>
	)	
<b>CALVIN JACOBS,</b>	)	
	)	
<b>Defendant.</b>	)	

This matter is before the court on the motion of defendant Calvin Jacobs (Jacobs) for an extension of the pretrial motion deadline (Filing No. 38). Jacobs seeks additional time in which to file motions for pretrial subpoenas. Jacobs' counsel represents that government's counsel has no objection to the motion. Jacobs' counsel represents that Jacobs will file an affidavit wherein he agrees to the motion and understands the additional time granted may be excluded under the calculations under the Speedy Trial Act. The motion will be granted.

**IT IS ORDERED:**

1. Jacobs' motion for an extension of time to file pretrial motions (Filing No. 38) is granted. Jacobs shall have **to on or before September 15, 2011**, in which to file pretrial motions in accordance with the progression order.

2. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **from August 25, 2011, to September 15, 2011**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 25th day of August, 2011.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge